

# ASSEMBLY, No. 3802

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

**Sponsored by:**

**Assemblyman JOHN F. MCKEON**

**District 27 (Essex and Morris)**

**Assemblyman ANTHONY S. VERRELLI**

**District 15 (Hunterdon and Mercer)**

**SYNOPSIS**

Directs Dept. of Agriculture to establish “Urban Farming Pilot Program”; appropriates \$100,000.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 3/16/2020)

1 AN ACT concerning urban gardening and making an appropriation.

2

3 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
4 *of New Jersey:*

5

6 1. As used in this act:

7 "Applicant" means any municipality or nonprofit organization  
8 applying for a grant pursuant to this act.

9 "Department" means Department of Agriculture.

10 "Low-income area" means a census tract, as reported in the most  
11 recently completed decennial census published by the United States  
12 Census Bureau, that has a poverty rate of at least 20 percent or in  
13 which the median family income does not exceed 80 percent of the  
14 Statewide or metropolitan median family income, whichever is  
15 greater.

16 "State-wide nonprofit organization" or "nonprofit organization"  
17 means a charitable organization serving qualified State residents  
18 and having operations throughout the State, that is a corporation  
19 organized in the State operated exclusively for charitable purposes  
20 under the "New Jersey Nonprofit Corporation Act," Title 15A of the  
21 New Jersey Statutes, and is exempt from federal income tax under  
22 section 501(c)(3) of the United States Internal Revenue Code (26  
23 U.S.C.s.501(c)(3)).

24 "Program" means the "Urban Farming Pilot Program"  
25 established pursuant to section 2 of this act.

26 "Urban area" means a neighborhood in, or portion of, a city of  
27 the first class, second class, third class, or fourth class in the State  
28 or a neighborhood in, or portion of, a municipality eligible to  
29 receive State aid pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.).

30 "Urban gardening" means gardening in an urban area on land or  
31 in or on a building or the rooftop thereof, where flowers, fresh  
32 produce, or other agricultural products are grown or raised for  
33 consumption as food by traditional agricultural methods, in  
34 greenhouses using the appropriate methods for these structures, or  
35 through the use of aquaponics, hydroponics, or another  
36 nontraditional method of farming. "Urban gardening" shall not  
37 include the cultivation of marijuana for medicinal or any other  
38 purpose.

39

40 2. a. The department shall establish and administer a pilot  
41 program, to be known as the "Urban Gardening Pilot Program," to  
42 improve local neighborhood conditions in low-income areas of the  
43 State by providing three qualified applicants with grants, of up to  
44 \$35,000, to create an urban garden. The department shall identify no  
45 fewer than three projects in different low-income areas of the State  
46 that the department considers to be appropriate for the pilot program.  
47 The department shall operate the pilot program for three consecutive  
48 years. The grants shall be used by qualified applicants to establish an

1 urban garden in a low-income area of the State. The goal of the urban  
2 garden shall be to improve local neighborhood conditions and  
3 integrate residents of diverse communities.

4 b. In establishing and implementing the program, the department  
5 may enter into agreements with local agencies, businesses, nonprofit  
6 organizations, and individuals for funds in order to leverage its grants  
7 with funds from such entities. The terms and conditions of any  
8 agreements for funds shall be determined by the department.

9  
10 3. a. The department shall provide grants to three applicants  
11 determined to be qualified by the department to participate in the  
12 program, in accordance with the criteria set forth in this section. Three  
13 qualified applicants shall be awarded a grant of up to \$35,000 each,  
14 which shall be used by the applicant over the three-year pilot program  
15 established pursuant to this act.

16 b. In order to receive a grant from the department pursuant to this  
17 act, the applicant shall meet the following requirements:

18 (1) the applicant shall demonstrate to the satisfaction of the  
19 department that the applicant has access to an urban area upon which a  
20 viable urban garden may be established;

21 (2) the applicant shall demonstrate to the satisfaction of the  
22 department that the urban garden is to be located within a low-income  
23 area of the State;

24 (3) the applicant shall demonstrate that the applicant has or will  
25 have a contractual relationship with an agronomist or with a qualified  
26 individual from the New Jersey Cooperative Extension Service to  
27 teach local residents how to plant and cultivate fresh produce or other  
28 agricultural products for consumption as food in the urban garden; and

29 (4) the applicant shall demonstrate that the applicant has or will  
30 have a contractual relationship with a licensed clinical social worker to  
31 work with local residents to foster the integration of residents in the  
32 community from diverse backgrounds with the common goal of  
33 improving their neighborhood.

34 c. In determining the criteria for qualifying applicants for grants,  
35 the department shall consider:

36 (1) the degree to which the program will advance local community  
37 goals for improving the neighborhood and integrating residents of  
38 different ethnic backgrounds;

39 (2) the level of financial and other participation provided by the  
40 applicant or by local and economic development agencies, county  
41 government entities, for-profit and nonprofit organizations, or lending  
42 institutions.

43 d. An applicant shall, as a condition of receiving a grant pursuant  
44 to this act, commit to:

45 (1) using the grant for an urban garden only; and

46 (2) complying with any other criteria established by the  
47 department.

1 e. The department shall review each complete application and  
2 approve three applications that meet the requirements of this section  
3 and any other criteria adopted by the department.

4 f. A grant shall be made by the department in the manner the  
5 department establishes, subject to the terms and conditions considered  
6 appropriate by the department that are consistent with the purposes this  
7 act.

8  
9 4. No later than three years after the effective date of this act,  
10 the Secretary of Agriculture shall prepare and submit a written  
11 report to the Governor and, pursuant to section 2 of P.L.1991, c.164  
12 (C.52:14-19.1), to the Legislature summarizing the activities and  
13 findings of the program, providing information on whether the  
14 program provided benefits to the local communities, evaluating the  
15 effectiveness of urban gardening in low-income areas as a means of  
16 improving the conditions in the neighborhood and integrating  
17 residents of different ethnic backgrounds, and providing  
18 recommendations for legislative action, including whether or not to  
19 make the program permanent.

20  
21 5. There is appropriated to the Department of Agriculture the  
22 sum of \$100,000 from the General Fund in order to implement the  
23 provisions of this act. The department may retain an amount for  
24 administrative costs and transaction fees not to exceed 5 percent of  
25 the appropriated funds.

26  
27 6. This act shall take effect immediately, and shall expire upon  
28 the submittal by the department of the report required pursuant to  
29 section 4 of this act.

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31  
32 STATEMENT

33  
34 The bill establishes in the Department of Agriculture, the “Urban  
35 Gardening Pilot Program,” to provide grants to three qualified  
36 applicants to establish an urban garden in a low-income area of the  
37 State. The bill requires the department to award three qualified  
38 applicants a grant of up to \$35,000 each, which the applicant will  
39 use for an urban garden for the three-year pilot program. The goal  
40 of the urban garden is to improve the local neighborhood conditions  
41 and integrate residents of diverse communities. The bill requires an  
42 agronomist or a qualified individual from the New Jersey  
43 Cooperative Extension Service to teach local residents how to plant  
44 and cultivate fresh produce or other agricultural products for  
45 consumption as food in the urban garden. In addition, the bill  
46 requires a licensed clinical social worker to work with local  
47 residents to foster the integration of residents in the community

1 from diverse backgrounds with the common goal of improving their  
2 neighborhood.

3 Within three years after the effective date of this bill, the  
4 Secretary of Agriculture would be required to prepare and submit a  
5 written report to the Governor and to the Legislature summarizing  
6 the activities and findings of the program. The report would provide  
7 information on whether the program provided benefits to the local  
8 communities, evaluate the effectiveness of urban gardening in low-  
9 income areas as a means of improving the neighborhood and  
10 integrating residents of different ethnic backgrounds, and provide  
11 recommendations for legislative action, including whether or not to  
12 make the program permanent.

13 The bill appropriates \$100,000 to the Department of Agriculture  
14 from the General Fund in order to provide grants to three qualified  
15 applicants as required under the bill.